

Exhibit G



Deposition of:

Paul Peil

December 9, 2021

In the Matter of:

Pork Antitrust Litigation

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UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

IN RE:

PORK ANTITRUST LITIGATION

Case No.

0:18-cv-01776-JRT-HB

This Document Relates To:

ALL DIRECT PURCHASER

PLAINTIFF ACTIONS

HIGHLY CONFIDENTIAL
VIDEOTAPED DEPOSITION OF
PAUL PEIL

DATE: December 9, 2021

TIME: 9:02 a.m. (Central)

PLACE: Faegre Baker Biddle & Reath

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, Minnesota 55402

JOB NO.: PA 4897676

PAGES: 1 to 265

REPORTED BY: Merilee Johnson, RDR, CRR, CRC, RSA

1 action nor am I financially interested in the
2 outcome.

3 Counsel will now state their
4 appearances and affiliations for the record. If
5 there are any objections to this proceeding, please
6 state them at the time of your appearance,
7 beginning with the noticing attorney.

8 MR. BOURNE: Good morning. Joe Bourne
9 from Lockridge Grindal Nauen representing the
10 direct purchaser plaintiffs.

11 MR. MITCHELL: This is Mike Mitchell
12 from Boies Schiller and Flexner for plaintiffs
13 Sysco and Amery Investments on behalf of the direct
14 action plaintiffs.

15 MR. COLEMAN: Craig Coleman --

16 MR. PEARSON: Good morning. Clifford
17 Pearson for the DPPs.

18 MR. COLEMAN: Anybody else from
19 plaintiffs' side want to --

20 MR. CIALKOWSKI: Yeah. Good morning.
21 This is Dave Cialkowski, C-i-a-l-k-o-w-s-k-i, with
22 the commercial and institutional indirect purchaser
23 plaintiffs.

24 MR. SHIFTAN: Good morning. Ben
25 Shiftan for the direct plaintiffs as well.

1 MS. THOMPSON: And this is Jessica --

2 MR. STEWART: Good morning --

3 MS. THOMPSON: Excuse me. Sorry. Go
4 ahead, Bill.

5 MR. STEWART: Sorry. This is Bill
6 Stewart of Schneider Wallace on behalf of the
7 Commonwealth of Puerto Rico.

8 MS. THOMPSON: This is Jessica Thompson
9 on behalf of the consumer indirect purchaser
10 plaintiffs.

11 MR. COLEMAN: Covered on the
12 plaintiffs' side?

13 We've got Craig Coleman and Emily Chow
14 with the Faegre Drinker firm on behalf of Hormel
15 Foods and representing Mr. Peil this morning.

16 I believe the other defendants have
17 noticed their appearance directly to the -- to
18 Veritext and the court reporter. So unless anybody
19 feels the need to further note their appearances, I
20 think we can proceed.

21 THE VIDEOGRAPHER: Will the court
22 reporter please swear in the witness and then we
23 can proceed.

24 PAUL PEIL,
25 duly sworn, was examined and testified as follows:

1 UNIDENTIFIED SPEAKER: Object to form.

2 UNIDENTIFIED SPEAKER: Object to form.

3 A. It would allow me to quote a higher price,
4 but that means nothing if I don't have a buyer.

5 Q. Have you provided truthful and complete
6 answers to all of the questions that you've been
7 asked today?

8 A. Yes.

9 Q. Thank you. I have nothing further at this
10 time.

11 A. Thank you.

12 MR. COLEMAN: Let's go off the record.

13 THE VIDEOGRAPHER: We are going off the
14 record. The time now is 4:13.

15 (Break: 4:13 p.m. to 4:36 p.m.)

16 THE VIDEOGRAPHER: We are back on the
17 record. The time now is 4:36.

18 EXAMINATION

19 BY MR. COLEMAN:

20 Q. Mr. Peil, I believe, in the course of
21 answering plaintiffs' questions today, you
22 explained that in the period between 2009 and 2018,
23 you served in positions at Hormel Foods for which
24 you had responsibilities relating to the pricing of
25 fresh pork. Is that right?

1 A. That's correct.

2 Q. And I believe you testified that at some
3 point in time you transitioned from a manager role
4 to a director role, but nonetheless, throughout
5 that period, you had responsibilities relating to
6 the pricing of pork and the purchase of pork raw
7 materials.

8 A. That is correct.

9 Q. And throughout that time period, have you
10 been familiar with Agri Stats?

11 A. Yes.

12 Q. And there were some questions and answers
13 about the Agri Stats sales book, otherwise known as
14 the Red Book. Do you recall that?

15 A. Yes.

16 Q. And you've been familiar with the existence
17 of the Agri Stats Red Book throughout that time
18 period, 2009 to 2018?

19 A. Yes.

20 Q. And throughout that time period, 2009 to
21 2018, did Hormel Foods ever subscribe to the Agri
22 Stats sales report?

23 A. No. A sample report was created.

24 Q. And I believe there was some questions
25 about the fact that Agri Stats provided a sample of

1 the sales report to Hormel Foods. Do you recall
2 that?

3 A. Yes.

4 Q. And following review of the sample sales
5 report, did Hormel Foods subscribe to the sales
6 report?

7 A. We did not.

8 Q. And so, again, circling back to my
9 question, does that confirm that in the period from
10 2009 to 2018, Hormel Foods never subscribed to the
11 Agri Stats sales report?

12 A. We did not.

13 Q. And I believe we reviewed some documents in
14 which you expressed some views about whether Hormel
15 Foods should subscribe to the Agri Stats sales
16 report. Do you recall reviewing those documents?

17 A. Yes, I do.

18 Q. And did you, in fact, share your views
19 about the Agri Stats sales report and whether
20 Hormel Foods should subscribe to it? Did you share
21 those views with others at Hormel Foods?

22 A. Yes, I did.

23 Q. And what were your views?

24 A. I had some concerns on the accuracy of the
25 data that we were seeing as a relation to how they